UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,218	01/21/2004	Peter Sirota	14618-007001	2185

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EXAMINER
HUYNH, BA

ART UNIT	PAPER NUMBER
2179	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/762,218	SIROTA ET AL.
	Examiner	**Art Unit**	
	Ba Huynh	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 June 2010*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14,17-40 and 43-53* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14,17-40 and 43-53* is/are rejected.

7)☒ Claim(s) *1-14, 17-40, 43-53* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20100907

DETAILED ACTION

Claim Objections

Claims 1-53 are objected to because of the following informalities: Claim 1, lines 15 and

17, the phrase "includeing" is a typographical error. The same problem is found in claim 27.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1- 3, 8-14, 17, 18, 20, 21, 27-29, 34-40, 43, 44, 46, 47 are rejected under 35

U.S.C. 103(a) as being unpatentable over US patent 7,716,594 (Fujii et al, hereinafter Fujii), in

view of US patent 6,363,352 (Dailey et al, hereinafter Dailey).

Regarding claims 1, 27: Fujii teaches a computer implemented method and

corresponding system comprising the steps/means for:

scheduling at a server device a network-based media event (3:38-45, 9:58-10 :51),

sending a client device at registration time, a notice mail inviting an attendee to attend the

network-based media event (5:4-13, 14:3-7), the notice mail includes program code specifying

scheduled time of the media event (14:11-15), program code to cause an internet browser

application at the client device to be connected for presentation of the media event (14:43-50,

18:12-47). Fujii discloses that the stream content is readily distributed to the invitees at the time

of the scheduled event (17:50-67), a log-in page is displayed to the user (fig. 21). Thus it appears

that the invitee's browser is automatically launched to display the log-in page. Even if it is not,

in the same art of virtual meeting over a computer network, Dailey teaches the automatic

launching of the conferee's meeting utilities at scheduled time (5:27-36, 12:28-56). It would

have been obvious to one of skill in the art, at the time the invention was made, to combine

Dailey's teaching of automatic starting of meeting utilities to Fujii. Motivation of the combine is

for automatically starting the browser without user interaction.

Regarding claims 2, 28: The rejection of claim 1 is incorporated and further Fujii disclosed

wherein scheduling the media event includes defining a broadcast time, a broadcast date, and a

broadcast type for the media event (Figures 10 and 11). It is inherent that a broadcast type is

defined in the selected options "Genre" and "Access to Web" or in the selection of type of image

(828-34).

Regarding claims 3, 29: The rejection of claim 1 is incorporated and further Fujii disclosed

wherein scheduling the media event includes defining one or more options for the media event

(figs 8, 10, 11).

Regarding claims 8, 34: The rejection of claim 1 is incorporated and further Fujii disclosed

wherein scheduling the media event includes specifying one or more attendees (10:30-40; figs

10, 11).

Regarding claims 9, 35: The rejection of claim 1 is incorporated and further Fujii disclosed

further comprising: registering an attendee for the network-based media event (10:30-40; figs 10,

11).

Regarding claims 10, 36: The rejection of claim 9 is incorporated and further Fujii disclosed

wherein registering an attendee includes assigning a password to the attendee (4:3-7, 10:1-4).

Regarding claims 11, 37: The rejection of claim 9 is incorporated and further Fujii disclosed

wherein registering an attendee includes collecting information such as name, email address

from the attendee (10:1-40).

Regarding claims 12, 38: The rejection of claim 1 is incorporated, wherein the program code

comprises a password to automate login to the media event (10:1-4, 17-19).

Regarding claims 13, 39: The rejection of claim 1 is incorporated and further Fujii disclosed

reminding an attendee to attend the network-based media event (14:3-7, 16:25-31; fig 18).

Regarding claims 14, 40: The rejection of claim 1 is incorporated and further Fujii disclosed

executing the network-based media event (14:43-50, 18:12-47, 17:50-67).

Regarding claims 17, 43: The rejection of claim 14 is incorporated and further Fujii disclosed

wherein executing the media event includes establishing a connection between the client device

and the server device (14:43-50, 18:12-47, 17:50-67).

Regarding claims 18, 44: The rejection of claim 17 is incorporated and further Fujii disclosed

wherein executing the media event further includes accessing, with the Internet browser

application at the client device, a data stream broadcast by the server device (14:43-50, 18:12-47,

17:50-67).

Regarding claims 20, 46: The rejection of claim 14 is incorporated and further Fujii disclosed

wherein executing the media event includes establishing a connection between a host device and

the server device (7:14:43-50, 16:32-43, 17:50-67, 18:12-47).

Regarding claims 21, 47: The rejection of claim 14 is incorporated and further Fujii disclosed

wherein executing the media event includes broadcasting a data stream from the server device to

one or more client devices (14:43-50, 18:12-47, 17:50-67).

Claims 4-6, 19, 26, 30-32, 45, 52, 53 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Fujii, in view of Dailey, further in view of Dunlap (US #6,560,637).

Regarding claims 4, 30: Per Fujii, the option can be a still image presentation (slideshow. 8:28-

34). This teaching suggests implementation of slideshow presentation. Implementation of

slideshow is disclosed by Dunlap (5:26-45). It would have been obvious to one of skill in the art,

at the time the invention was made, to combine Dunlap's teaching of slideshow presentation to

Fujii. Motivation of the combining is for providing visual presentation materials.

Regarding claims 5, 31: In light of the combination Fujji&Dailey&Dunlap, the still image

presentation is uploaded at scheduled time (14:43-50, 18:12-47, 17:50-67).

Regarding claims 6, 32: The rejection of claim 5 is incorporated Dunlap discloses wherein

scheduling the media event further includes converting one or more slides of the slideshow

presentation into a standard image file format (Column 4, lines 19-24). It would have been

obvious to one of ordinary skill in the art at the time of invention to incorporate the teachings of

Dunlap since converting slides to image files allows images to be viewed without special plug-

ins or controls (Dunlap: Column 4, lines 19-24).

Regarding claim 19, 26, 45, 52: Fujii&Dailey fail to teach that data stream is an encoded data

stream and executing the media event further includes decoding the encoded data stream.

However in the same field of invention Dunlap teaches that data stream is an encoded data

stream and executing the media event further includes decoding the encoded data stream (4:19-

24, 48-53; 5:10-15; 7:21-29). It would have been obvious to one of skill in the art, at the time

the invention was made, to combine Dunlap teaching of encoding and decoding of the data

stream to Fujii&Dailey. Motivation of the combining is for data transmission.

Regarding claim 53, the rejection of claim 20 is incorporated and further Dunlap disclosed

wherein the connection between the host device and the server device is established by an applet

(Column 5, lines 26-45). It would have been obvious to one of ordinary skill in the art at the

time the invention was made to incorporate the teachings of Dunlap into the system of

Fujii&Dailey, since doing so would allow the client to connect and begin interaction with the

server automatically when the browser is launched.

Claims 22, 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii, in view of

Dailey, further in view of Bookspan et al (US #6,636,888).

Regarding claims 22, 48: Fujii teaches the still image broadcast option but fails to teach

executing the media event further includes embedding a file representative of a slideshow slide

into the data stream. However in the same field of invention Bookspan teaches executing the

media event further includes embedding a file representative of a slideshow slide into the data

stream (Column 22, lines 14-19). It would have been obvious to one of skill in the art, at the

time the invention was made, to combine Bookspan's teaching of embedding the slideshow

presentation to Fujii. Motivation of the combining is for broadcasting the slideshow to the

conferee.

Claims 7, 23-25, 33, 49-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii,

in view of Dailey, further in view of Hanson et al. (USPN 6,457,045).

Regarding claims 7, 33: Fujji&Dailey fails to disclose the group consisting an interactive poll. However, Hanson disclosed polling a group of participants connected to a network (Abstract, lines 1-3; Column 13, lines 21-32). It would have been obvious to one of ordinary skill in the art at the time of invention to include the interactive polling of Hanson as one of the media event options in order to provide means for collecting data or choices from multiple participants (Hanson: Column 13, lines 21-32).

Regarding claims 23, 49: Fujii&Dailey fails to teach wherein executing the media event further includes embedding a file representative of an opinion poll into the data stream. However, Hanson disclosed polling a group of participants connected to a network as a media event (Abstract, lines 1-3; Column 13, lines 21-32). It would have been obvious to one of ordinary skill in the art at the time of invention to embed a file representative of an opinion poll into the data stream. Motivation of the combining is for broadcasting the poll.

Regarding claims 24, 50: The rejection of claim 23 is incorporated and further Hanson disclosed wherein executing the media event further includes transmitting, from the client device to the server device, poll data representative of an attendee response to the opinion poll (Column 2, lines 43-63 (wherein dynamic content received by server includes selected choices from participants). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teachings of Hanson with the execution of media events in order to provide means for collecting data or choices from multiple participants (Hanson: Column 13, lines 21-32) and to dynamically update the server with results from participants (Hanson:

Column 2, lines 43-63).

Regarding claims 25, 51: The rejection of claim 24 is incorporated and further Hanson disclosed

wherein executing the media event further includes storing the poll data on the server device

(Column 2, lines 43-63 (wherein server has associated database which retrieves and stores

dynamic content including selected choices made by participants).

Response to Arguments

Applicant's arguments with respect to the amended claims have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The

examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ba Huynh/
Primary Examiner, Art Unit 2179